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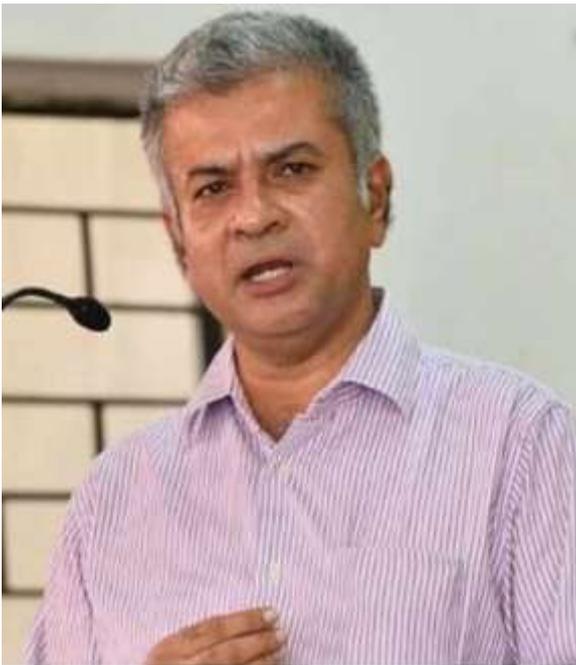
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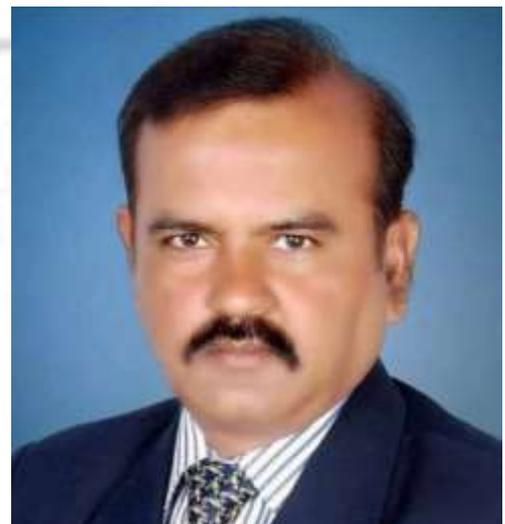


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Dr. Rinu Saraswat

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E.MBA, LL.M, Ph.D, PGDSAPM

Currently working as Assistant Professor at Law Centre II, Faculty of Law, University of Delhi. Dr. Nitesh have 14 years of Teaching, Administrative and research experience in Renowned Institutions like Amity University, Tata Institute of Social Sciences, Jai Narain Vyas University Jodhpur, Jagannath University and Nirma University.

More than 25 Publications in renowned National and International Journals and has authored a Text book on Cr.P.C and Juvenile Delinquency law.



Subhrajit Chanda

BBA. LL.B. (Hons.) (Amity University, Rajasthan); LL. M. (UPES, Dehradun) (Nottingham Trent University, UK); Ph.D. Candidate (G.D. Goenka University)

Subhrajit did his LL.M. in Sports Law, from Nottingham Trent University of United Kingdoms, with international scholarship provided by university; he has also completed another LL.M. in Energy Law from University of Petroleum and Energy Studies, India. He did his B.B.A.LL.B. (Hons.) focussing on International Trade Law.

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WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provided dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

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ONE NATION ONE ELECTION: A LEGAL AND DEMOCRATIC PERSPECTIVE

AUTHORED BY - LAVANYA GUPTA

Final Year Law Student, Savitribhai Phule Pune University

Abstract

In this article, the author explores the evolution and revival of the “One Nation, One Election” idea, which proposes to hold simultaneous elections for Lok Sabha and State Assembly. From the time of its first implementation in 1951-52 and then its breakdown in the 1970s, she discusses recent efforts to reinstate it, including the 2023 High-Level Committee’s recommendations and the Union Cabinet’s approval in 2024. While this revival promises cost savings and governance efficiency, she highlights concern about its impact on federalism, regional representation, constitutional challenges, and democratic accountability, questioning whether it is a reform or a risk.

What is “One Nation One Election”?

The vision of “One Nation One Election” quietly took its root from the very dawn of India’s independence in 1947 as the nation embarked on its transformative journey towards democracy. In those formative years elections were considered as the cornerstone of its democratic fabric, acting as a testament to India’s commitment to forge a united and strong democracy.

One Nation One election means synchronization of the Indian election system. This means conducting simultaneous elections for the Lok Sabha (lower house of parliament) and all state legislative assemblies across India. It mandates that elections for the Lok Sabha and state assemblies will be held concurrently, either on the same day or within a specific time frame in multi- phase way also.

Historical Background

The first general elections in 1951-52 were conducted simultaneously for both Lok Sabha and state legislative assemblies. This means 1951-52 was a period of simultaneous elections. This process continued for the subsequent three elections as well in 1957, 1962 and 1967 respectively. However, after 1967 this process of simultaneous elections was broken primarily due to two reasons. The first reason being premature dissolution of some of the state legislative assemblies for a variety of reasons and the second reason being premature dissolution of Lok Sabha in 1970.

By the 1960s, several states had already started witnessing separate elections either because they were formed, like in the case of Tripura and Nagaland, or because governments crumbled, leading to separate Assembly elections. Therefore, though some states had already diverged from the timeline of simultaneous elections, the turning point came on the night of December 27 when Prime Minister Indira Gandhi made a significant announcement and decided to dissolve the Lok Sabha and called for a general election in 1971, thereby altering the course of the election schedule. This was the first time that the Lok Sabha would be dissolved in independent India. This primarily happened due to instability being faced by the government after being ousted from Congress that Indira Gandhi called for a midterm election in 1971. She sought popular endorsement to strengthen her position. The election separated the national and state elections, as states were yet to complete their terms.

Indira's faction won decisively, securing 352 seats, which gave her full power and decoupled general elections from state elections.

However, the idea of reinstating "One Nation, One Election" has been consistently recommended over the years. In 1983, the Election Commission proposed simultaneous elections, followed by the Law Commission in 1999 and the 79th Parliamentary Standing Committee in 2015. In 2017, NITI Aayog further supported the concept with an article titled "Analysis of Simultaneous Elections: What, Why, and How," emphasizing the benefits of conducting elections for the Lok Sabha and state legislative assemblies at the same time.

Since 2014, Narendra Modi, then Gujarat's Chief Minister, and later Prime Minister of India (till date) has advocated for simultaneous elections, arguing they would cut public spending

and ensure uninterrupted development by avoiding disruptions caused by the model code of conduct. For the past decade (2014-2024), the concept of "One Nation, One Election" has been a key focus under the BJP government, sparking widespread discussions on its potential to streamline elections, reduce costs, and ensure continuous governance. On 2nd September, 2023 Government constituted a High- Level Committee on Simultaneous Election headed by former President of India Ram Nath Govind to examine the issue of simultaneous elections among others. The committee proposed conducting simultaneous elections for Lok Sabha, state Assemblies, and local bodies in India and suggested amending Article 82A of the Constitution to empower the President to designate an "Appointed Date" for the commencement of simultaneous elections to the House of the People and Legislative Assemblies. Following extensive consultations with political parties, experts, and stakeholders, the committee has proposed a two-phase implementation plan: first, to hold simultaneous Lok Sabha and Assembly elections, and second, to conduct local body elections (panchayats and municipalities) within 100 days of the general elections.

The Technicality & Recent Developments

On 18 September 2024 Union Cabinet, chaired by the Prime Minister Shri Narendra Modi, accepted the recommendations of the High-Level Committee on Simultaneous Elections under the chairmanship of former President Shri Ram Nath Kovind. But does this mean that one nation one election is a positive way forward? Some can say yes while others are doubtful about it.

The concept of holding a single election for an entire nation is both intriguing and complex. Currently, elections are being held in a staggered manner leading to a continuous cycle of political campaigning. This frequent election cycle involves implementation of the Model Code of Conduct, which restricts the government from introducing new schemes or projects during the election period to ensure free and fair elections. This causes significant government disruptions and affects long term development goals. Additionally, these multiple elections involve huge costs and expenditure and also demand extensive resources like manpower, infrastructure, and logistics, further adding to the financial burden on the government. Also because of these frequent elections politicians are more focused on winning the elections rather than sustained governance. Thus, a single and unified election could streamline these processes and cut costs and help in efficient governance.

The Challenges to the Democratic Dream

However, this idea is not without its challenges. A nation as vast and diverse as India seeking to hold its elections in unison- a move that promises simplicity but hides a web of complex challenges beneath its surface. Synchronizing elections is not as simple as aligning date's; it demands a massive overhaul and a seismic shift in the constitutional framework of the nation. In order to synchronize state legislative elections with Lok Sabha we would have to dissolve existing state assemblies which is no small task. In order to achieve this, amendments need to be made in at least five key articles (83, 85, 172, 356) in the constitution and ratification from at least 50% of India's states is required. The question here arises is that can all this happen smoothly in a nation as politically complex and constitutionally robust as India? Additionally, India is a nation of diverse cultures, languages and regional identities and under the system of one nation one election these regional voices could be overshadowed by the imposing national narratives. If elections are synchronized people are likely to choose one party for center and state and with national parties likely dominating the election scene the regional issues may be neglected due to larger national issues. As a result, state- specific concerns may not get the attention they deserve. Also, the prospect of saving costs by holding elections once every year might seem like a dream come true, however there is a deeper cost to consider which is accountability.

Usually, voters use elections as a way to express their dissatisfaction with the government mid-term by choosing a different party during state and center elections. Frequent elections allow voters to hold the government accountable to their actions. However, if elections are held once then voters might lose their ability to express their discontent midway through a government's term. Thus, it might achieve efficiency but compromise on accountability. Though all these challenges persist, especially the amendment of the constitution, the BJP government seems to be completely determined as it was during removal of Article 370.

Conclusion

The success of "ONE NATION ONE ELECTION" depends entirely on the execution of the process. Constitutional amendments by now have become BJP Government's masterstrokes and has carried out these amendments efficiently in the past. However, the challenges for one nation one election do not limit to political and financial principles but also arise public concern and fear of propaganda manipulation of the whole election process. The execution of this

process by the election commission of India shall be a deciding factor if this prolonged change in the election process is a miracle or a menace.

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